



Pre-Application: Cannabis Business in a Multi-Tenant Building in the Green Zone

Submittal Guide and Application Forms

Materials included in this pre-application submittal guide and application packet:

- Step-by-step pre-application submittal guide and instructions
- Pre-application Form

STEP 1: Confirm that your proposed cannabis business is located in the Green Zone.

Check Zone of Proposed Location. Confirm that your desired location is within the Green Zone.

Here is a link to the zoning map: <https://www.costamesaca.gov/city-hall/city-departments/development-services/community-improvement-division/measure-x-information>

Check Proposed Use. Confirm that your proposed use is allowed in the Green Zone. The link above provides information on permitted uses within the Green Zone.

STEP 2: Will the proposed business involve the use or storage of hazardous chemicals or materials?

- **If no hazardous chemicals or materials will be used or stored**, a pre-application is not required. An example of a cannabis use that does not involve the storage or use of hazardous materials is the introduction of a delivery component to an existing manufacturing business. The approval of a Cannabis Business Permit and Conditional Use Permit are still required before the business may commence.
- **If hazardous chemicals or materials will be used or stored**, a Pre-Application review is required to address potential Fire and Building Code issues associated with the use of hazardous chemicals by multiple users in a multi-tenant building.

STEP 3: Complete the Pre-Application Form

Pre-Application Form. A copy of the pre-application form is provided in this submittal guide. Refer to the end of the submittal guide for the application form.

The pre-application form must be signed by the applicant and the property owner, and those signatures must be notarized. Please note that notary services are not available at City Hall.

STEP 4: Pre-Application Submittal

Please note that your pre-application **MUST** include all of the required documents, forms and information. The City will **NOT** accept incomplete applications for processing.

Required Documents and Materials. Include the following information with your pre-application submittal:

- Identify all processes and chemicals to be used in the proposed non-retail cannabis business through a business operations plan and/or a safety plan; and
- Provide a floor plan of the entire building with all existing businesses identified, including any other cannabis businesses. The floor plan must be drawn to scale and dimensioned.

Pre-application Fee. The pre-application fee is \$1,500. Payment for the pre-application fee must be made by a certified check, cashier's check, or money order made payable to the City of Costa Mesa.

File Organization. The pre-application submittal must be organized into files exactly in the order as follow:

- File 1: Pre-Application Form
- File 2: Business Operations and/or Safety Plan
- File 3: Floor Plan(s)

Application Submittal: All cannabis applications, including the pre-application, **will only be accepted online** through the [City's cannabis application submission portal](#). Applications **will NOT** be accepted in-person at City Hall or via regular or electronic mail.

The City will review the pre-application submittal and determine if the pre-application includes all of the required documents and materials. If the application is deemed acceptable for processing by the City, the City will contact the applicant to arrange a date and time to collect the filing fee. The fee must be collected within three business days.

If the pre-application submittal is NOT deemed acceptable for processing, the City will return the pre-application submittal to the applicant with a written determination identifying what information is missing.

Project Case Number. Once your CBP application is deemed acceptable for processing and the City has received your application payment in full, a project case number will be assigned to your application.

STEP 5: Pre-Application Review and Determination

City staff will review your pre-application within approximately 30 days from the date it is accepted and payment is provided. During the review period, staff may contact you with questions and requests for additional information.

At the conclusion of the pre-application review, the City will provide you with a written determination of the City's findings. If your pre-application conforms with all applicable criteria, you will be allowed to move to the next step in the process: Submittal of a Cannabis Business Permit application.

QUESTIONS?

Email us at cannabis@costamesaca.gov or call the City's cannabis hotline at (714) 754-4902.



PRE-APPLICATION: STOREFRONT BUSINESSES/ NON-RETAIL USES IN MULTI-TENANT BUILDINGS

All items described in the submittal instructions must be provided or this application will not be accepted for processing by the City

Pre-application review is **REQUIRED** for the following types of cannabis businesses:

- All retail cannabis storefronts; and
- Non-retail cannabis businesses located in multi-tenant buildings in the Green Zone

Pre-application is **NOT** required to add a delivery (non-storefront) component to an existing business.

Pre-application Fee: \$1,500

SECTION 1 – APPLICANT AND PROPERTY OWNER INFORMATION

Property Owner Name: _____

Property Owner Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Phone: _____ Email: _____

Applicant Name: _____

Applicant Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Phone: _____ Email: _____

Business Structure (Please check appropriate one):

☐ Sole Proprietor ☐ Limited Partnership (LP) ☐ Corporation
☐ General Partnership (GP) ☐ Limited Liability Company (LLC) ☐ Other

SECTION 2 – PERMIT TYPE (Please select type of permit(s) you are applying for):

☐ Distributor (Type 11) ☐ Distributor (Type 13) ☐ Manufacturer (Type 6 and 7)
☐ Testing Laboratory (Type 8) ☐ Research and Development Laboratory
☐ Retail Storefront (Type 10) ☐ Retail Non-storefront (Type 9)

SECTION 3 – PROPOSED LOCATION

Property Address: _____

SECTION 4 – PERMIT EQUITY PROGRAM

Is the applicant a participant in the City's Permit Equity Program?

☐ Yes ☐ No

If Yes: ☐ Qualification Form Attached

☐ Equity Application Submitted

SECTION 5 – SIGNATURES

Property owner and Applicant must provide notarized signatures.

Applicant

Print Name: _____

Signature: _____ Date: _____

Property Owner

Print Name: _____

Signature: _____ Date: _____

STATE OF CALIFORNIA)

) ss
COUNTY OF ORANGE)

On _____, before me, _____, Notary Public, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument. I certify under PENALTY OF PERJURY under law of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature of Notary Public

MY COMMISSION EXPIRES: _____

STATE OF CALIFORNIA)

) ss
COUNTY OF ORANGE)

On _____, before me, _____, Notary Public, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument. I certify under PENALTY OF PERJURY under law of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature of Notary Public

MY COMMISSION EXPIRES: _____

SECTION 6 – REQUIRED DOCUMENTS AND MATERIALS

The following information must be submitted with the pre-application form through the portal on the City's website:

1. **Pre-application Form.** Signed and notarized by the property owner and the applicant.
2. **Applicant Letter.** Include a letter describing the proposed cannabis business. Include the square footage of the premises, how the space will be used, the types of products to be sold/manufactured, etc. If the business is located in the Green Zone, identify all uses to be conducted and list all chemicals and chemical quantities to be employed.
3. Applications for **Retail Storefront** businesses shall also include the following plans and information:
 - a. **Site Plan.** Include a site plan depicting all available on-site parking. The site plan shall be drawn to scale at a minimum dimension of $\frac{1}{4}$ " = 1 foot, and fully dimensioned.
 - b. **Previous Uses/Tenants.** Include a list of past occupant(s) and uses on the property for the past three years.
 - c. **Assessor's Parcel Map(s).** The map needs to depict the subject location and all parcels within 1,200 feet of the proposed storefront premise. This map shall identify the location of all uses currently operating from which a separation requirement is specified in the CMMC for a cannabis use:
 - K-12 schools (public and private): 1,000 feet
 - Child daycare facilities: 1,000 feet
 - Homeless shelters: 1,000 feet
 - Playground: 1,000
 - Youth Center: 600 feet

Note: The separation requirement is 1,000 feet and 600 feet as specified above. However, for the purpose of the pre-application review, the submitted map must show all parcels within 1,200 feet of the proposed storefront premise.

- d. **No Unpermitted Cannabis Activity Statement.** Include a statement signed by the applicant and property owner affirming that no unpermitted and/or illegal cannabis activity has existed on the property at any time in the 365 days preceding submittal of the Pre-Application request. If such an activity did exist,

indicate the date the use was discontinued. Refer to Section 13-200.93(e)(4) of Ordinance 2021-08 for additional information.

4. **Pre-application Fee.** If the application is deemed complete for processing, staff will contact the applicant to arrange a date and time to collect the required fee. The pre-application fee is \$1,500. Payment for the pre-application must be made by a certified check, cashier's check, or money order made payable to the City of Costa Mesa. Note that this fee is a one-time, non-refundable fee.

Processing Time. The pre-application review will not be completed over the counter to allow staff to conduct appropriate research and verify information submitted. The City will provide a determination in approximately 30 days.